



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

Certified Mail - Return Receipt Requested

December 5, 2008

Patricia Stanislas, Engineering Manager
A.W. Chesterton Company
500 Unicorn Park
Woburn, MA 01801

Re: **NOTICE OF WARNING, EPA Reference No. FIFRA-NOW-2009-001**
Establishment Location: 225 Fallon Road, Stoneham, MA 02180
Establishment Number: EPA Est. 038442-MA-001

Dear Ms. Stanislas:

This constitutes a written notice of warning ("NOW") pursuant to Section 9(c)(3) of the Federal Insecticide, Fungicide and Rodenticide Act ("FIFRA"), 7 U.S.C. § 136g(c)(3). Through issuance of this NOW, the New England Office of the U.S. Environmental Protection Agency ("EPA") is hereby advising you that you have violated Section 12(a)(2)(L) of FIFRA, 7 U.S.C. § 136j(a)(2)(L) by failing to file, on or before the March 1, 2008 deadline, an annual pesticide production report for reporting year 2007 regarding the above-referenced registered pesticide-producing establishment. Such annual reports are required under Section 7(c) of FIFRA, 7 U.S.C. § 136e(c), for all FIFRA-registered establishments, even if no pesticides were produced during the reporting year. Based on EPA records, the report filed for your establishment at 225 Fallon Road, Stoneham, MA was submitted (i.e., postmarked) on March 11, 2008.

Under Section 7 of FIFRA and the regulations at 40 C.F.R. § 167.85, pesticide producers must annually submit detailed information to EPA for each pesticide product including, but not limited to, the types and amounts produced in the past calendar year, the types and amounts sold or distributed in the past calendar year (regardless of when produced), and an estimate of the amounts expected to be produced in the current year. Annual pesticide production reports are due March 1 and must provide information for the prior calendar year (the reporting year). These reports are the principal source of information about pesticides produced in the U.S. (or imported) that EPA uses to protect public health and the environment and maintain the integrity of its pesticide program.

You are hereby advised to comply with the reporting requirements under FIFRA Section 7 and the implementing regulations at 40 C.F.R. § 167.85. Note that the failure to comply with those and other FIFRA requirements may subject you to further enforcement by EPA, including the assessment of civil penalties of up to \$6,500 per violation under Section 14(a)(1) of FIFRA, 7 U.S.C. § 136l(a)(1).

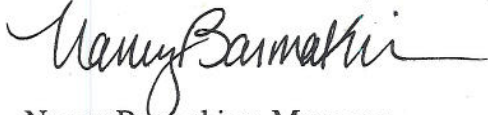
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If you have any questions concerning this NOW, please contact Kan Tham of my staff at (617) 918-1872.

Sincerely,



Nancy Barmakian, Manager
Toxics and Pesticides Unit
Office of Environmental Stewardship
U.S. EPA New England

cc: Lee Corte-Real, MA Dept. of Agricultural Resources
Kan Tham, U.S. EPA New England FIFRA Enforcement Coordinator
Sharon Hayes, U.S. EPA New England (electronic)
Hugh Martinez, U.S. EPA New England (electronic)

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A.W. Chesterton Company
500 Unicorn Park
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PS Form 3800, August 2006

See Reverse for Instructions

Production History

Establishment Number: 038442-MA -001

[Advanced Sort](#)

Report Year ▲	Production Reported	Date Signed	Date Postmarked
2011	Zero Production Reported	03/28/2012	05/25/2012
2010	Zero Production Reported	05/17/2011	05/23/2011
2009	No Form Submitted		
2008	No Form Submitted		
2007	Zero Production Reported	02/01/2008	03/11/2008
2006	Zero Production Reported	01/10/2007	01/11/2007
2005	Zero Production Reported	01/10/2006	01/11/2006
2004	No Form Submitted		

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